

UNITED STATES BANKRUPTCY COURT
District of South Carolina

Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors, & Deadlines

A chapter 7 bankruptcy case concerning the debtor listed below was filed on 4/30/13.

You may be a creditor of the debtor. **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the Bankruptcy Clerk's Office at the address listed below.

NOTE: The staff of the Bankruptcy Clerk's Office cannot give legal advice.

Creditors – Do not file this notice in connection with any proof of claim you submit to the court.

See Reverse Side For Important Explanations.

Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

Scott Swiatkowski
1459 Relyea
Charleston, SC 29412

Tracy Swiatkowski
1459 Relyea
Charleston, SC 29412

Case Number:
13-02564-dd

Social Security / Individual Taxpayer ID / Employer Tax ID / Other Nos:
xxx-xx-9167
xxx-xx-7400

Attorney for Debtor(s) (name and address):

Elizabeth M. Atkins
778 St. Andrews Blvd
Charleston, SC 29407
Telephone Number: (843) 763-0333

Bankruptcy Trustee (name and address):

Michelle L. Vieira
PO Box 70309
Myrtle Beach, SC 29572
Telephone Number: 843-497-9800

Meeting of Creditors:

Date: June 20, 2013

Time: 09:30 AM

Location:

King and Queen Building, 145 King Street, Room 225, Charleston, SC 29401

Presumption of Abuse under 11 U.S.C. § 707(b)

See "Presumption of Abuse" on reverse side.

Insufficient information has been filed to date to permit the clerk to make any determination concerning the presumption of abuse. If more complete information, when filed, shows that the presumption has arisen, creditors will be notified.

Deadlines:

Papers must be *received* by the Bankruptcy Clerk's Office by the following deadlines:

Deadline to File a Complaint Objecting to Discharge of the Debtor or to Determine Dischargeability of Certain Debts:
8/19/13

Deadline to Object to Exemptions:

Thirty (30) days after the *conclusion* of the meeting of creditors.

Creditors May Not Take Certain Actions

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the Court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

Please Do Not File a Proof of Claim Unless You Receive a Notice To Do So.

Creditor with a Foreign Address:

A creditor to whom this notice is sent at a foreign address should read the information under "Do Not File a Proof of Claim at This Time" on the reverse side.

Mailing Address of the Bankruptcy Clerk's Office:
United States Bankruptcy Court
J. Bratton Davis United States Bankruptcy Courthouse
1100 Laurel Street
Columbia, SC 29201-2423
Telephone Number: 1-803-765-5436
www.scb.uscourts.gov

FILED BY THE COURT ON:

04/30/13

L. Jefferson Davis IV (Acting), Clerk
U.S. Bankruptcy Court

Public Business Hours: 9:00 AM – 5:00 PM

Date: 5/1/13

EXPLANATIONS

FORM B9A (12/12)

Filing of Chapter 7 Bankruptcy Case	A bankruptcy case under chapter 7 of the Bankruptcy Code (title 11, United States Code) has been filed in this Court by or against the debtor(s) listed on the front side, and an order for relief has been entered.
Legal Advice	The staff of the Bankruptcy Clerk's Office cannot give legal advice. Consult a lawyer to determine your rights in this case.
Creditors Generally May Not Take Certain Actions	Prohibited collection actions are listed in Bankruptcy Code § 362. Common examples of prohibited actions include contacting the debtor by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor; repossessing the debtor's property; starting or continuing lawsuits or foreclosures; and garnishing or deducting from the debtor's wages. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the Court to extend or impose a stay.
Presumption of Abuse	If the presumption of abuse arises, creditors may have the right to file a motion to dismiss the case under § 707(b) of the Bankruptcy Code. The debtor may rebut the presumption by showing special circumstances.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time and location listed on the front side. <i>The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.
Do Not File a Proof of Claim at This Time	There does not appear to be any property available to the trustee to pay creditors. <i>You therefore should not file a proof of claim at this time.</i> If it later appears that assets are available to pay creditors, you will be sent another notice telling you that you may file a proof of claim, and telling you the deadline for filing your proof of claim. If this notice is mailed to a creditor at a foreign address, the creditor may file a motion requesting the Court to extend this deadline. <i>Do not include this notice with any filing you make with the court.</i>
Discharge of Debts:	The debtor is seeking a discharge of most debts, which may include your debt. A discharge means that you may be prohibited from collecting the debt from the debtor. If you believe that the debtor is not entitled to receive a discharge under Bankruptcy Code § 727(a) or that a debt owed to you is not dischargeable under Bankruptcy Code § 523, you must commence an adversary proceeding against the debtor -- or file a motion if you assert the discharge should be denied under § 727(a)(8) or (a)(9) -- by the "Deadline to File a Complaint Objecting to Discharge of the Debtor or to Determine Dischargeability of Certain Debts" listed on the front side of this notice. The Bankruptcy Clerk's Office must receive the complaint and any required filing fee by that deadline.
Exempt Property:	The debtor is permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors. The debtor must file a list of all property claimed as exempt. You may inspect that list at the Bankruptcy Clerk's Office. If you believe that an exemption claimed by the debtor is not authorized by law, you may file an objection to that exemption. The Bankruptcy Clerk's Office must receive the objection by the "Deadline to Object to Exemptions" listed on the front side.
Bankruptcy Clerk's Office	Any pleading or document that you file in this bankruptcy case should be filed at the Bankruptcy Clerk's Office at the address listed on the front side. Certain parties are required to electronically file documents pursuant to the orders of this Court. You may view the public record of this case, including the list of the debtor's property and debts and the list of the property claimed as exempt, at the Bankruptcy Clerk's Office.
Creditor with a Foreign Address	Consult a lawyer familiar with United States bankruptcy law if you have any questions regarding your rights in this case.
-- Refer to Other Side for Important Deadlines and Notices --	
Dismissal Notice	This case may be dismissed without further notice or hearing should the debtor fail to comply with SC LBR 1017-2 (providing for dismissal for a failure to: pay the applicable filing fee, file or provide documents, or attend the meeting of creditors).
Miscellaneous Notice	The Voice Case Information System (VCIS) will give status information on cases filed or converted after 11/30/88. Call 1-866-222-8029. Please refer to the Court's web site at www.scb.uscourts.gov for further information. Chapter 7 cases: Property of the estate may be abandoned by the trustee at the meeting of creditors unless creditors or parties in interest object to SC LBR 6007-1.